

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAILY NEWS LP, ET AL.,

Plaintiff,

v.

MICROSOFT CORPORATION, ET AL.,

Defendants.

24-cv-3285 (SHS) (OTW)

And the Related Cases:

23-cv-11195 (SHS) (OTW)

24-cv-4872 (SHS) (OTW)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

Having reviewed the submissions of Microsoft and the plaintiffs in the above-captioned action regarding whether Microsoft is required to comply with Federal Rule of Civil Procedure 5.1(a) with respect to its as-applied challenge to N.Y. Gen. Bus. Law § 360-1 (*see* ECF Nos. 273, 281),

IT IS HEREBY ORDERED that Microsoft “file a notice of constitutional question stating the question and identifying the paper that raises it” pursuant to Rule 5.1(a)(1)(B), and serve notice on the New York Attorney General in accordance with the requirements set forth in Rule 5.1(a)(2).

The Court denies Microsoft’s request for additional briefing on the issue of whether its as-applied challenge to N.Y. Gen. Bus. Law § 360-1 implicates the public interest.

Dated: New York, New York

January 31, 2025

SO ORDERED:



Sidney H. Stein, U.S.D.J.